

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ERIN MCPEAK,

Plaintiff,

v.

COREY BUTCHER, et al.,

Defendants.

No. 3:21-CV-5821-TL

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Having reviewed the Report and Recommendation of Magistrate Judge David W. Christel as well as the remaining record and no objections or responses to the Report and Recommendation having been filed, the Court hereby finds and ORDERS:

- (1) The Court ADOPTS the Report and Recommendation.
- (2) McPeak's Motion to Dismiss (Dkt. 19) is GRANTED-IN-PART and DENIED-IN-PART. Butcher's counterclaims are dismissed without prejudice for failure to state a claim, but the Court declines to issue Rule 11 sanctions.
- (3) The Clerk is DIRECTED to send copies of this Order to Plaintiff, counsel for Defendants, and to the Hon. David W. Christel.

Dated this 3rd day of June 2022.



Tana Lin
United States District Judge